

Texas Commission on Environmental Quality
INTEROFFICE MEMORANDUM

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2007 MAR 21 PM 4:54
CHIEF CLERKS OFFICE

TO: Derek Seal, General Counsel, TCEQ

Date: March 21, 2007

THRU: *SS* Gitanjali Yadav, Senior Attorney, Litigation Division

FROM: *MAC* Mark Curnutt, Attorney, Litigation Division

SUBJECT: Request for Continuance of Item # 1 at 1:00pm, Joe Boy Johnson, Docket No. 2005-1582-IFW, SOAH Docket No. 582-06-2407, March 28, 2007 Commission Agenda

The Executive Director respectfully requests that the above-referenced item be continued to a future Commission Agenda. Texas Commission on Environmental Quality ("TCEQ") technical staff has reviewed a proposal submitted by Mr. Johnson on March 20, 2007 and determined that Mr. Johnson's plan is sufficient and will meet TCEQ standards. This proposal will be integrated into an Agreed Order to be signed by Mr. Johnson and presented along with the SOAH PFD to the Commission. The PFD is scheduled to be presented to the Commissioners on March 28, 2007. Because the Agreed Order must be published and made available for public comment, I respectfully request this item be continued to a future date. I will contact your office when the Agreed Order is published to determine when the item can be presented to the Commissioners.

Please do not hesitate to call me at (512) 239-0624 if you have any questions regarding this matter.

cc: Service List

SERVICE LIST
ENFORCEMENT ACTION CONCERNING JOE JOHNSON
TCEQ DOCKET NO. 2005-1582-IHW-E
SOAH DOCKET NO. 582-06-2407

Via Facsimile 512/475 4994

The Honorable Thomas H. Walton
State Office of Administrative Hearings
300 W. 15th Street, Suite 504
Austin, Texas 78701-1649

Via first class mail, postage prepaid

Mr. Joe Boy Johnson, Owner
Route 1, Box 34
Brady, Texas 76825

Blas Coy, Jr.
TCEQ Office of the Public Interest Counsel
MC 103
Phone: (512) 239-6363
Fax: (512) 239-6377

Mary Risner
TCEQ Litigation Director
MC 175
Phone: (512) 239-6224
Fax: (512) 239-0606

Michael Meyer
TCEQ Enforcement Division
Mail Code MC 128
Phone: (512) 239-4492

Chris Mayben
TCEQ San Angelo Regional Office
Mail Code MC R-8
Phone: 325-655-9479